

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WESLEY KENNETH CORNETT,

Defendant.

CASE NO. CR05-172 JLR

DETENTION ORDER

Offense charged:

Count I: Conspiracy to Distribute Cocaine, in violation of Title 21, U.S.C., Sections
841(a)(1), 841(b)(1)(A) and 846.

Date of Detention Hearing: May 11, 2005.

The Court, having conducted an uncontested detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Ron Friedman and Susan Roe. The defendant was represented by Robert Leen.

The Government filed a Motion for Detention on the premise of the defendant's risk of

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1 flight and danger to the community, offering that the rebuttable presumption applies to the instant
2 offense.

3 The defense submits to detention and reserves the right to reconsideration, in light of new
4 information.

5 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

6 (1) There is probable cause to believe the defendant committed the drug offense.
7 The maximum penalty is in excess of ten years. There is therefore a rebuttable
8 presumption against the defendant's release based upon both dangerousness
9 and flight risk, under 18 U.S.C. § 3142(e).

10 (2) Nothing in this record satisfactorily rebuts the presumption against release for
11 several reasons:

12 (a) The defendant's personal history, employment history, residence, and
13 ties to the Western District of Washington are unknown; this, in
14 combination with the nature of the pending charges, elevates both the
15 risk of flight and risk of danger to the community;

16 (b) The defendant submitted to detention.

17 (3) Based upon the foregoing information which is consistent with the
18 recommendation of U.S. Pre-trial Services, it appears that there is no condition
19 or combination of conditions that would reasonably assure future Court
20 appearances and/or the safety of other persons or the community.

21
22 **It is therefore ORDERED:**

23 (l) The defendant shall be detained pending trial and committed to the custody of
24 the Attorney General for confinement in a correction facility separate, to the
25 extent practicable, from persons awaiting or serving sentences or being held in
26 custody pending appeal;

- 1 (2) The defendant shall be afforded reasonable opportunity for private consultation
2 with counsel;
- 3 (3) On order of a court of the United States or on request of an attorney for the
4 Government, the person in charge of the corrections facility in which the
5 defendant is confined shall deliver the defendant to a United States Marshal for
6 the purpose of an appearance in connection with a court proceeding; and
- 7 (4) The clerk shall direct copies of this order to counsel for the United States, to
8 counsel for the defendant, to the United States Marshal, and to the United
9 States Pretrial Services Officer.

10 DATED this 12th day of May, 2005.

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12 MONICA J. BENTON
13 United States Magistrate Judge
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